

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ALBERTO-CULVER USA, INC.,)	
)	
Plaintiff,)	Case No. 09-cv-5899
)	
v.)	Judge Suzanne B. Conlon
)	
THE PROCTER & GAMBLE COMPANY)	
and NOXELL CORPORATION,)	
)	
Defendants.)	

NOTICE OF MOTION

To: Brian D. Sieve, P.C.
Terrence J. Dee, P.C.
Joshua Mahoney
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300 North LaSalle
Chicago, Illinois 60654

PLEASE TAKE NOTICE that on **Thursday, November 12, 2009** at **9:00 a.m.** or as soon thereafter as counsel may be heard, we shall appear before the Honorable Judge Suzanne B. Conlon in Room 1743 at the Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604 and then and there present for hearing **Defendants' Motion to Dismiss Plaintiff's Complaint and in the Alternative to Transfer Venue**, a copy of which was served upon you on November 9, 2009. Provided that it presents no inconvenience to the Court, Defendants respectfully request that the presentment date of the motion be continued to **Friday, November 13, 2009** at **9:00 a.m.**, the date and time of the parties' previously-scheduled status hearing.

Dated: November 9, 2009

Respectfully Submitted,

/s/ Peter J. Macdonald

Peter J. Macdonald (admitted *pro hac vice*)
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*Attorneys for The Procter & Gamble Company
and Noxell Corporation*

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on November 9, 2009, he caused a true and correct copy of the foregoing Notice of Motion to be served on Plaintiff via CM/ECF electronic delivery to:

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